

WASHINGTON ELEMENTARY SAFE ROUTES TO SCHOOL

Project No.

TAU-4-989(123)

PCN

22267

City of Minot, ND

6th St SE, 17th Ave SE, 18th Ave SE,
and 19th Ave SE

Prepared by

CITY OF MINOT ENGINEERING DEPARTMENT
MINOT, NORTH DAKOTA

<http://www.minotnd.org/>

CITY ENGINEER
Lance Meyer

Principal Author: Houston Engineering, Inc.
Environmental Reviewer: (name, NDDOT Division name)
November 2018

TABLE OF CONTENTS

Description	Page
Table of Contents	i
List of Tables.....	ii
List of Figures.....	ii
I. Public Meeting Summary	1
A. Project Information.....	1
B. Meeting Details	3
C. Attendees	3
D. Comments & Responses	3

Appendices

Appendix A	Notifications
Appendix B	Handouts
Appendix C	Exhibits Presented
Appendix D	Roster
Appendix E	Comments Received

LIST OF TABLES

Table 1: Summary of Comments/Responses4

LIST OF FIGURES

Figure 1: Project Location Map.....2

I. Public Meeting Summary

A. Project Information

Roadways: 6th Street SE, 17th Avenue SE, 18th Avenue SE, and 19th Avenue SE

District: Minot

Limits: 6th Street SE – North crosswalk at 18th Avenue SE as well as within the existing right of way along the east side of 6th Street SE from 19th Avenue SE to approximately 220' north of 18th Ave SE

17th Avenue SE – Within the existing right of way along the north and south sides of 17th Avenue SE from 3rd Street SE to 6th Street SE

18th Avenue SE – Within the existing right of way along the north side of 18th Avenue SE from 6th Street SE to approximately 375' east

19th Avenue SE – Within the existing right of way along the north side of 19th Avenue SE from 6th Street SE to approximately 800' east

Figure 1 – Project Location Map



B. Meeting Details

City, State: Minot, ND

Facility: Minot City Auditorium, Room 301, 420 3rd Avenue SW

Date and Time: October 23, 2018 | 5:00 PM to 7:00 PM

Meeting Format Used: Open Forum

The meeting was held to present proposed construction items and limits to the public.

C. Attendees

Number of Attendees: 10

City of Minot: Lance Meyer-City Engineer | Lisa Olson, Dr. Steve Podrygula-City Council

Houston Engineering: Dave Schwengler

Public Participants: 6

D. Comments and Responses

A total of 5 general comments were received during the meeting. No comment cards were filled out/received during the meeting. A total of 2 comments were received via email and/or mailed comment cards with some comments matching the general comments received during the meeting. Comments were received until November 7, 2018. Table 1 contains summaries of these comments and their responses.

Table 1 – Summary of Comments/Responses

Topic	Comments	Responses
Lawn Sprinklers	Concerned about damage to/relocation of private sprinkler systems during construction.	It was explained that existing sprinkler systems located within the right of way are considered at risk and if damaged, would not be repaired by the City. Property owners were encouraged to locate their sprinklers and relocate if possible; otherwise they were notified to anticipate repairs.
Snow Maintenance	Concerned regarding ability/responsibility of snow maintenance.	It was explained that snow maintenance would be the responsibility of the adjacent landowners.
Drainage	Concerned about ensuring positive drainage in yards and boulevards.	It was explained that some minor grading may be necessary to ensure positive drainage. Trench drains may also be utilized as necessary.
Driveway Grades	Concerned about matching existing driveway grades/the need to rebuild driveways.	It was explained that the sidewalks would be designed to match existing conditions where possible.
Sidewalk Locations	Concerned about location of sidewalks – namely some landowners wanted the sidewalks, but only on the opposite sides of the street.	It was explained that both sides of the corridor are preferred to be traversable as users originate from both sides.
16 th Ave S Sidewalks (Email)	Would like consideration of sidewalks on the south side of 16 th Ave from 4 th to 6 th as crossing the street to get to the opposite path is dangerous.	This portion of the neighborhood is not in the plans. The City is working off of a comprehensive study completed in 2010 to decide which sidewalk projects should be completed. Once this list is exhausted, the City will move on to other sidewalk segments that make connections into other parts of the neighborhood.
Cost & Maintenance (Mailed Comment Card)	Resident purchased home in February 1977 knowing at that time that they would not have a sidewalk to pay for and/or maintain.	The City has the right and responsibility to construct corridor improvements within the street right-of-way. This corridor was identified in the Safe Routes to School Study (2011) as needing these improvements which will be paid for by Federal and City Funds. As identified in Chapter 28, Article, Sec. 28-42 of the Minot City Code, snow removal is the responsibility of the adjacent property owner.
Injury & Snow Clearing (Mailed Comment Card)	(In 42 years of residing in the neighborhood) Resident has never seen or heard of a pedestrian being injured or slipping in the street as it is extra wide and cleared of snow quicker than the sidewalks to the west of their residence.	Comment noted. This corridor was identified in the Safe Routes to School Study (2011) as needing these improvements to help eliminate the chances of accidents involving pedestrians within the roadway. As identified in Chapter 28, Article, Sec. 28-42 of the Minot City Code, snow removal of adjacent sidewalks shall be performed within 24 hours after a snow event.

APPENDICES

Appendix A

Notifications

Affidavit of Publication/Legal Display Advertisement

AFFIDAVIT OF PUBLICATION STATE OF NORTH DAKOTA

SS,

County of Ward

AMANDA STARBUCK-MATTSON of said

County and State, being first duly sworn, on oath says: That the **MINOT DAILY NEWS** is a daily newspaper of general circulation, printed and published in the City of Minot, in said County and State. That the **MINOT DAILY NEWS** now is and during all times in the foregoing affidavit mentioned has been a newspaper qualified to do legal printing, in accordance with the Statutes of the State of North Dakota, and that I am clerk of the **MINOT DAILY NEWS** and during all such time covering the publication of this notice have occupied such position on said newspaper, and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed

OCTOBER 23, 2018 PUBLIC INPUT
MEETING SAFE ROUTES TO SCHOOL

a printed copy of which is hereunto attached was printed and published in said newspaper

ONE times to-wit:

OCTOBER 5, 2018

Amanda Starbuck-Mattson, Clerk.

Subscribed and sworn to before me this

5th Day of October 2018

Shannon Grater

Notary Public, Ward Co, N.D.

D38833

PUBLIC OPEN HOUSE

WHY?

To discuss proposed pedestrian improvements to 6th ST SE, 17th, 18th, & 19th Ave SE in Minot, ND. The project consists of sidewalk construction along these routes as part of the Safe Routes to School program.

When?

October 23, 2018
Open House: 5 p.m. to 7 p.m.

Where?

City Auditorium
Room 301
420 3rd Avenue SW
Minot, North Dakota

OPEN HOUSE CONDUCTED BY

City of Minot

This meeting is designed to allow for public input which is required for compliance with the National Environmental Policy Act of 1970 and National Historic Preservation Act of 1966.

Representatives from the City of Minot will be on hand to answer your questions and discuss your concerns.

WRITTEN STATEMENTS or comments about this project must be mailed by November 7, 2018 to Kelby Laxdal at Ina Mae Rude Center, Suite 405, 4200 James Ray Drive, Grand Forks, ND 58202
Email: klaxdal@houstoneng.com
Note "Public Input Meeting" in email subject heading.

The North Dakota Department of Transportation (NDDOT) will consider every request for reasonable accommodation to provide:

an accessible meeting facility or other accommodation for people with disabilities, language interpretation for people with limited English proficiency (LEP), and translations of written material necessary to access NDDOT programs and information.

Appropriate provisions will be considered when the Department is notified at least 10 days prior to the meeting date or the date the written material translation is needed.

To request accommodations, contact Lance Meyer, Minot City Engineer, at 701-857-4100 or lance.meyer@minotnd.org. TTY users may use Relay North Dakota at 711 or 1-800-366-6888.

(October 5, 2018) PUBLICATION FEES

No. Lines 18.00 INCHES

Times ONE \$ 268.74

18.00 INCHES x 14.93 = \$268.74

SHANNON GRATER
Notary Public
State of North Dakota
My Commission Expires Jan. 27, 2022

Press Release

CONTACT: Derek Hackett
Minot Public Information Officer
Phone: 701-857-4727
E-mail: pio@minotnd.org



For immediate release
Oct. 8, 2018

Public meeting set to discuss routes near Washington Elementary

A public input meeting will be held on Oct. 23 to discuss proposed pedestrian improvements on routes near Washington Elementary School.

The open house meeting is scheduled from 5 p.m. to 7 p.m. in Room 301 of the Minot Municipal Auditorium. The meeting will be an opportunity for residents to provide input on proposed improvements to 6th Street Southeast, 17th Avenue Southeast, 18th Avenue Southeast, and 19th Avenue Southeast through the Safe Routes to School program.

If unable to attend the Oct. 23 meeting, written statements or comments must be mailed by Nov. 7, 2018, to:

Kelby Laxdal
Ina Mae Rude Center, Suite 405
4200 James Ray Drive
Grand Forks, ND 58202

Written statements and comments can also be sent to klaxdal@houstoneng.com with "Public Input Meeting" in the e-mail subject heading.

The City of Minot will consider every request for reasonable accommodation to provide:

- an accessible meeting facility or other accommodation for people with disabilities,
- language interpretation for people with limited English proficiency (LEP), and
- translations of written material necessary to access NDDOT programs and information.

To request accommodations, contact Minot City Engineer Lance Meyer at 701-857-4100 or lance.meyer@minotnd.org. TTY users may use Relay North Dakota at 711 or 1-800-366-6888.

For additional information or interviews contact the Public Information Office at 701-857-4727 or by email at pio@minotnd.org.

###

Letter #8 Distribution Email

Kelby Laxdal

From: Kelby Laxdal
Sent: Thursday, September 20, 2018 10:56 AM
To: Alan Walter; Bonnie Buchanan; Brian Horinka; Brian Johnson; Cody Schulz; Cy Munos; Dan Jonasson; Dana Larsen; Daniel Lewis, P.E.; Darrell Francis; Dave Lakefield (dave.lakefield@minotnd.org); Dave Schwengler; David Glatt; Dawn Roness; Derek Weigel ; Devra Smestad; Don Trueblood; Gerald Paulson; Jared Huibregtse; Jason Olson; Jeff Lansink; Jodi Johnson; Kathy Duttenhefner; Keith Johnson ; Kelli Kronschnabel; Kelly Wetzel (kellykw@srtel.com); Kyle Wanner; Lance Meyer (lance.meyer@minotnd.org); Larry Kotchman; Lyndsay Ulrickson; Pam Wenger; Reggie Schaan; Rick Demke; Ron Merritt; Scott Burlingane; Scott Davis; Scott Hochhalter; Shane Branson; Shaun Sipma (shaun.sipma@minotnd.org); Stephen Herda; Steve Dyke; Thomas Barry; Timothy LaPointe; Todd Frerichs
Subject: TAU-4-989(123) | PCN 22267 - Solicitation of Views
Attachments: Minot SRTS Project Area.pdf

PROJECT: TAU-4-989(123), PCN: 22267
WARD COUNTY; SAFE ROUTES TO SCHOOL

The City of Minot, in cooperation with the North Dakota Department of Transportation and Federal Highway Administration, is proposing pedestrian route improvements on several streets near Washington Elementary School.

The project consists of designated school crossing pavement markings and the construction of sidewalks in the following locations (please see attached map):

- A designated school crossing placed on 6th St SE at 18th Ave SE and a 5' wide sidewalk placed on the north side of 18th Ave SE beginning at 6th St SE, extending approximately 375' to the east.
- A 5' wide sidewalk placed on both sides of 17th Ave SE from 3rd St SE to 6th St SE.
- A 5' wide sidewalk placed on the north side of 19th Ave SE beginning at 6th St SE, extending approximately 800' to the east.
- A 5' wide sidewalk placed on the east side of 6th St SE from 19th Ave SE to approximately 220' north of 18th Ave SE.

This project is expected to be constructed during the 2019 construction season.

The project will not require the acquisition of permanent or temporary right-of-way.

To ensure that all social, economic, and environmental effects are considered in the development of this project, we are soliciting your views and comments on the proposed project pursuant to Section 102(2) (D) (IV) of the National Environmental Policy Act of 1969, as amended. We are particularly interested in any property which your department may own or have an interest in and which would be adjacent to the proposed roadway improvement. We would also appreciate being made aware of any proposed developments your department may be contemplating in the areas under consideration for the proposed roadway facility. Any information that might help us in our studies would be appreciated.


It is requested that any comments or information be sent to Kelby Laxdal at klaxdal@houstoneng.com on or before 10/22/2018. If no reply is received by this date, it will be assumed that you have no comment on this project.

If further information is desired regarding the proposed roadway improvement, please contact Kelby Laxdal at klaxdal@houstoneng.com, or at 701-499-9441 in Grand Forks, ND.

KELBY LAXDAL /s/





gkl/gkl

Attachment: Project Location Map



Kelby Laxdal
Engineer III
Houston Engineering, Inc.
O 701.237.5065 | D 701.499.9441 | F 701.237.5101

Ina Mae Rude Center, Suite 405
4200 James Ray Drive • Grand Forks, ND • 58202
www.houstoneng.com

This entire message (including all forwards and replies) and any attachments are for the sole use of the intended recipient(s) and may contain proprietary, confidential, trade secret, work-product, attorney-client or privileged information. Any unauthorized review, use, disclosure or distribution is prohibited and may be a violation of law. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message.



Celebrating 50 years of talented employees and wonderful clients!

Appendix B

Handouts



A Citizen's Guide to Understanding Stormwater



EPA 833-B-03-002
January 2003
United States Environmental Protection Agency
Small Business Size 4 1/2" x 6 1/2" (114 x 165 mm)
Minimum 100 copies per order
To Order: Call 1-800-453-3761 or visit www.epa.gov/stormwater

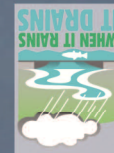


After the Storm

For more information contact:
www.epa.gov/nps/stormwater
or visit
www.epa.gov/nps/stormwater

www.state.nd.us/dotdoing.html

ND DOT



What is stormwater runoff?



Stormwater runoff occurs when precipitation from rain or snowmelt flows over the ground. Impervious surfaces like driveways, sidewalks, and streets prevent stormwater from naturally soaking into the ground.

Why is stormwater runoff a problem?



Stormwater can pick up debris, chemicals, dirt, and other pollutants and flow into a storm sewer system or directly to a lake, stream, river, wetland, or coastal water. Anything that enters a storm sewer system is discharged untreated into the waterbodies we use for swimming, fishing, and providing drinking water.

The effects of pollution

Polluted stormwater runoff can have many adverse effects on plants, fish, animals, and people.

- ◆ Sediment can cloud the water and make it difficult or impossible for aquatic plants to grow. Sediment also can destroy aquatic habitats.
- ◆ Excess nutrients can cause algae blooms. When algae die, they sink to the bottom and decompose in a process that removes oxygen from the water. Fish and other aquatic organisms can't exist in water with low dissolved oxygen levels.
- ◆ Bacteria and other pathogens can wash into swimming areas and create health hazards, often making beach closures necessary.
- ◆ Debris—plastic bags, six-pack rings, bottles, and cigarette butts—washed into waterbodies can choke, suffocate, or disable aquatic life like ducks, fish, turtles, and birds.
- ◆ Household hazardous wastes like insecticides, pesticides, paint, solvents, used motor oil, and other auto fluids can poison aquatic life. Land animals and people can become sick or die from eating diseased fish and shellfish or ingesting polluted water.



- ◆ Polluted stormwater often affects drinking water sources. This, in turn, can affect human health and increase drinking water treatment costs.



Stormwater Pollution Solutions

Residential



Recycle or properly dispose of household products that contain chemicals, such as insecticides, pesticides, paint, solvents, and used motor oil and other auto fluids. Don't pour them onto the ground or into storm drains.

Lawn care

Excess fertilizers and pesticides applied to lawns and gardens wash off and pollute streams. In addition, yard clippings and leaves can wash into storm drains and contribute nutrients and organic matter to streams.



- ♦ Don't overwater your lawn. Consider using a soaker hose instead of a sprinkler.
- ♦ Use pesticides and fertilizers sparingly. When use is necessary, use these chemicals in the recommended amounts. Use organic mulch or safer pest control methods whenever possible.
- ♦ Compost or mulch yard waste. Don't leave it in the street or sweep it into storm drains or streams.
- ♦ Cover piles of dirt or mulch being used in landscaping projects.

Septic systems

Leaking and poorly maintained septic



- systems release nutrients and pathogens (bacteria and viruses) that can be picked up by stormwater and discharged into nearby waterbodies. Pathogens can cause public health problems and environmental concerns.
- ♦ Inspect your system every 3 years and pump your tank as necessary (every 3 to 5 years).
 - ♦ Don't dispose of household hazardous waste in sinks or toilets.

Auto care

Washing your car and degreasing auto parts at home can send detergents and other contaminants through the storm sewer system. Dumping automotive fluids into storm drains has the same result as dumping the materials directly into a water body.



- ♦ Use a commercial car wash that treats or recycles its wastewater, or wash your car on your yard so the water infiltrates into the ground.
- ♦ Repair leaks and dispose of used auto fluids and batteries at designated drop-off or recycling locations.

Pet waste

Pet waste can be a major source of bacteria and excess nutrients in local waters.



- ♦ When walking your pet, remember to pick up the waste and dispose of it properly. Flushing pet waste is the best disposal method. Leaving pet waste on the ground increases public health risks by allowing harmful bacteria and nutrients to wash into the storm drain and eventually into local waterbodies.



Education is essential to changing people's behavior. Signs and workers near storm drains warn residents that pollutants entering the drains will be carried untreated into a local waterbody.

Residential landscaping

Permeable Pavement—Traditional concrete and asphalt don't allow water to soak into the ground. Instead these surfaces rely on storm drains to divert unwanted water. Permeable pavement systems allow rain and snowmelt to soak through, decreasing stormwater runoff.

Rain Barrel—You can collect rainwater from rooftops in mosquito-proof containers. The water can be used later on lawn or garden areas.



Rain Gardens and Grassy Swales—Specially designed areas planted with native plants can provide natural places for



rainwater to collect and soak into the ground. Rain from rooftop areas or paved areas can be diverted into these areas rather than into storm drains.

Vegetated Filter Strips—Filter strips are areas of native grass or plants created along roadways or streams. They trap the pollutants stormwater picks up as it flows across driveways and streets.



Commercial

Dirt, oil, and debris that collect in parking lots and paved areas can be washed into the storm sewer system and eventually enter local waterbodies.

- ♦ Sweep up litter and debris from sidewalks, driveways and parking lots, especially around storm drains.
- ♦ Cover grease storage and dumpsters and keep them clean to avoid leaks.
- ♦ Report any chemical spill to the local hazardous waste cleanup team. They'll know the best way to keep spills from harming the environment.

Erosion controls that aren't maintained can cause excessive amounts of sediment and debris to be carried into the stormwater system. Construction vehicles can leak fuel, oil, and other harmful fluids that can be picked up by stormwater and deposited into local waterbodies.

- ♦ Divert stormwater away from disturbed or exposed areas of the construction site.
- ♦ Install silt fences, vehicle mud removal areas, vegetative cover, and other sediment and erosion controls and properly maintain them, especially after rainstorms.
- ♦ Prevent soil erosion by minimizing disturbed areas during construction projects, and seed and mulch bare areas as soon as possible.



Construction



Agriculture

Lack of vegetation on streambanks can lead to erosion. Overgrazed pastures can also contribute excessive amounts of sediment to local waterbodies. Excess fertilizers and pesticides can poison aquatic animals and lead to destructive algae blooms. Livestock in streams can contaminate waterways with bacteria, making them unsafe for human contact.



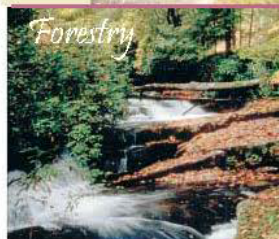
- ♦ Keep livestock away from streambanks and provide them a water source away from waterbodies.
- ♦ Store and apply manure away from waterbodies and in accordance with a nutrient management plan.
- ♦ Vegetate riparian areas along waterways.
- ♦ Rotate animal grazing to prevent soil erosion in fields.
- ♦ Apply fertilizers and pesticides according to label instructions to save money and minimize pollution.

Automotive Facilities



Uncovered fueling stations allow spills to be washed into storm drains. Cars waiting to be repaired can leak fuel, oil, and other harmful fluids that can be picked up by stormwater.

- ♦ Clean up spills immediately and properly dispose of cleanup materials.
- ♦ Provide cover over fueling stations and design or retrofit facilities for spill containment.
- ♦ Properly maintain fleet vehicles to prevent oil, gas, and other discharges from being washed into local waterbodies.
- ♦ Install and maintain oil/water separators.



Forestry

Improperly managed logging operations can result in erosion and sedimentation.

- ♦ Conduct preharvest planning to prevent erosion and lower costs.
- ♦ Use logging methods and equipment that minimize soil disturbance.
- ♦ Plan and design skid trails, yard areas, and truck access roads to minimize stream crossings and avoid disturbing the forest floor.
- ♦ Construct stream crossings so that they minimize erosion and physical changes to streams.
- ♦ Expedite revegetation of cleared areas.



Prepared by
NORTH DAKOTA
DEPARTMENT OF TRANSPORTATION
Bismarck, North Dakota
dot.nd.gov
January 2016

ETS0116

Steps in Highway Planning, Design, and Construction

TRAFFIC SURVEYS

Traffic surveys are studies of the traffic flow from which engineers can determine the numbers and types of vehicles using a specific length of highway on any given day or hour.

Surveys are taken by means of mechanical counters and personal interviews. This information, along with maintenance cost records and safety issues, is the basis for determining the need for a new or improved highway or street.

PROGRAMMING

After highway or street improvement needs are established, they are presented to planning engineers and are included in a long-range highway or street program. Each proposed improvement is then considered, along with other improvements, and is given a priority and placed in the program.

PRELIMINARY ENGINEERING

Preliminary engineering covers all studies and surveys necessary to plan and design a highway or street.

The location engineer, through the use of aerial photographs and on-site inspection, studies the terrain in the area, selects the most feasible routes, and presents them to engineers in other specialized fields for study. The engineer prepares a cost estimate and analyzes the advantages and disadvantages of each route.

The final route is selected after public meetings/hearings. Surveys are then completed including laying out a centerline and measuring elevation and drainage. The exact location of all buildings, fences, power poles, dams, wells, corrals, and other improvements is also documented.

PUBLIC MEETINGS/HEARINGS

Public meetings/hearings provide the public an early opportunity to comment on projects. Public meetings/hearings are held in the locale of most projects. Notices of scheduled meetings/hearings are published in local newspapers and press releases are sent to media.

All available facts are gathered and presented at these meetings/hearings. The public is invited to present their views. Everyone is urged to attend and will be given the opportunity to comment and ask questions concerning the proposed route. You may be able to provide useful information that the North Dakota Department of Transportation (NDDOT) or the political subdivision can use as it makes a final decision on the proposed project.

FINAL DESIGN

Final design of the project begins as soon as the exact project location is decided.

Design plans will describe in detail how the highway or street will be built. This includes grades, drainage, slopes, and other details, as well as the limits of the necessary right of way which must be acquired for construction.

VALUATIONS

Highway or street construction projects will, at times, require additional right of way from adjoining properties. Depending upon a project's specific design requirements, private property may have to be acquired partially or in total, either permanently (i.e. in fee, or by easement), temporarily (e.g. temporary construction easement), or a combination thereof.

Before right of way is acquired, NDDOT will first establish and submit to the property owner a written offer of the amount believed to be just compensation. Depending upon the complexity of the acquisition, this offer will either be based upon a Waiver Valuation or an approved appraisal. Both methods employ

the Sales Comparison Approach, one of the most common methods of property valuation. Regardless of the method used, the same basic valuation principles used nationwide are employed by NDDOT to ensure that the property's market value estimate is developed objectively and impartially. This provides the best assurance that NDDOT's offer will be fair and reasonable to both the property owner and the general public.

If NDDOT or the acquiring local public agency believes the acquisition of the property is uncomplicated, and a review of available data supports a fair market value that is \$10,000 or less, a Waiver Valuation will be prepared as the basis for the agency's offer.

An appraisal will be prepared when the acquisition is complex or otherwise does not meet Waiver Valuation criteria. The appraiser will offer you, the property owner, the right to be present during the inspection of the property. If you are unable or don't wish to be present during the inspection, you may appoint a representative to be present in your place. It is to your benefit to accompany the appraiser on the inspection, as it is an opportunity to point out any features of the property that you believe may be relevant to its valuation. A thorough appraisal provides the best assurance of a satisfactory settlement.

The appraiser will personally inspect the property and will review the details of the proposed acquisition with you or your representative. If only part of the property is to be acquired, the appraiser will also explain how the acquisition will affect the remaining property. The appraiser will consider all information pertinent to the value of your property, including (but not limited to) recent sales of comparable property, construction costs, rental values, etc.

When only part of the property is acquired, the appraiser will evaluate the effects of the acquisition on the property remaining, taking into consideration any damages that accrue from the acquisition, such as a separation of the remaining property into two

or more parcels; the cost of moving or constructing new fences; or restrictions on access to and from the highway or street. Special benefits, which result in an increase in the value of the remaining property, are also considered.

After completing the investigation, the appraiser prepares a written report describing in detail the basis for the appraisal. The completed appraisal report is then submitted to NDDOT for critical review. As part of the review process, the Review Appraiser may view your property and recommend additions or corrections to the original appraisal. The review will consider whether the work provides a credible basis for the appraiser's opinion, while meeting minimum standards of professional appraisal practice.

Only after a thorough review concludes that the work meets these criteria will the appraisal be approved as a basis for the Agency's offer. Should the review conclude that the work is not acceptable, a new appraisal will be obtained and the review process will begin anew. The appraisal and review processes are a system of "checks-and-balances," designed to ensure an objective, impartial, and credible valuation.

If, for some reason, you do not wish to have your property appraised, another option is available. Property owners may waive the right to an appraisal, choosing instead to donate all or part of the property interest needed for the project. Donations are a common practice when the acquisition is small in size and the value is minimal.

NEGOTIATION

All real estate transactions are the result of discussions between two parties. These discussions are called negotiations and are essential in reaching an agreement satisfactory to both parties.

An acquisition agent, representing NDDOT or the political subdivision, will meet with you to give you a firm offer, in writing, for the necessary right of way. The agent's primary duty is to advise and assist you in every possible way as to the process of selling

your property to NDDOT or the political subdivision. It is the agent's obligation to be knowledgeable about the highway or street system and real estate transactions. The agent:

- Can answer many of the questions you may ask about the effect of the proposed improvement on your property.
- Can answer most questions about mortgages, liens, taxes, legal documents, and many other topics.
- Will have all the necessary documents, and will be willing to explain them to you.
- Can help you arrange a release of a mortgage or lien if necessary.
- Must inform you of your rights in eminent domain and, when applicable, your reimbursement rights for moving personal property as well as your possible eligibility for the Relocation Assistance Program.
- A voucher copy of the transaction will be provided when you receive payment.

NDDOT and the political subdivision recognize that some property owners do not care to sell, and at times there will be some inconvenience connected with the sale. It is intended, however, that when negotiations are complete, you can say that you have been treated courteously and fairly.

ALTERNATIVE TO SETTLEMENT

When, for some reason, the necessary right of way cannot be acquired by a negotiated settlement, the representatives of NDDOT or the political subdivision have the right to take the needed right of way through the laws of eminent domain. These are laws under which NDDOT and nearly all political subdivisions, as well as certain utility companies, have the right to take private property for the benefit of the public. These laws also protect the rights of the

property owner by requiring that fair market value be paid for all property acquired.

This action, more commonly known as "condemnation," is undertaken in North Dakota in accordance with pertinent statutes under Article 1, Section 16 of the North Dakota Constitution. It is used only when necessary.

When condemnation becomes necessary, NDDOT or the political subdivision places a monetary deposit with the clerk of court of your county. This deposit must be a reasonable offer for the damage incurred. NDDOT and the political subdivision have the right to immediate possession of the condemned property, depending on their specific circumstances, bylaws, etc.

The property owner is notified by the clerk of court of the action and the amount deposited. At this point the property owners may either accept the offer, withdraw the total amount deposited or file an appeal with the district court for determination of damages. This appeal must be filed within 30 days of receiving the notice from the clerk of court. Property owners who withdraw the deposited payment may appeal, as may others with an interest in the property.

Although it is not legally required as part of eminent domain proceedings, NDDOT or the political subdivision also sends a notice to each party having an interest in the property. This informs the property owner of the action and advises that when condemnation is undertaken, all improvements including buildings, fences, dams, wells, etc., on the condemned right of way become the property of the state, county or city. The improvements cannot be removed without written approval from NDDOT or the political subdivision.

RELOCATION ASSISTANCE

Under state and federal laws, all persons who are required to move or relocate their family or business as a result of the taking of right of way for highway

or street purposes are entitled to certain rights and compensations. These are explained in detail in another brochure given to all persons forced to relocate. In most cases, an agent from NDDOT will help with the relocation assistance process.

CONTRACTS LET (BID)

Nearly all construction projects are let to competitive bids. Public bid lettings, at which contractors are invited to offer bids, are held periodically. Results of these bids are then considered and contracts are awarded to the lowest bidder capable of handling each project. All right of way must be acquired or condemned before construction contracts are advertised for bids.

FREQUENTLY ASKED QUESTIONS

When can I expect payment?

Generally, payment for right of way can be expected within 30 days following transfer of title. Titles clouded by mortgages, judgements, liens, etc., will probably take somewhat longer.

What about the mortgage on my property?

Representatives from NDDOT and the political subdivision generally make arrangements with mortgagees for release of mortgaged property. Payment for mortgaged property is usually made to the owner and the mortgagee jointly, and arrangements for division of the payment must be worked out between them.

What about my buildings?

Owners of right of way involving buildings are generally given a choice of plans for consideration in negotiated settlements. First, NDDOT or the political subdivision offers to purchase the buildings outright along with the land, in which case the buildings are later sold at public auction or by sealed bids. Second, the property owner may choose to retain the improvements at a predetermined salvage value.

The salvage value will be deducted from the overall purchase price. Third, consideration will be given to payment for the cost of moving the buildings.

NDDOT and the political subdivisions have the responsibility to make sure, in all transactions involving the moving of buildings, that the cost to move the buildings does not exceed the value of the buildings in place. This would be an unwise expenditure of public funds.

How soon will I have to move?

Every effort will be made to give occupants enough time to relocate. Ordinarily at least 90 days from the date of acquisition will be allowed.

Additional comments and answers to relocation questions most often asked are covered in the relocation brochure.

Must I pay income tax on the money received?

The sale of your property for highway or street purposes is considered by the Internal Revenue Service (IRS) as an "involuntary conversion." It is not necessary to pay income tax or capital tax if the money you receive is similarly reinvested within a given time. You should, however, check with the IRS or a local tax consultant for answers to your questions.

Where can I get additional information?

The acquisition agent who contacts you to purchase your property can usually provide any information requested, or will find it and report back to you.

FOR MORE INFORMATION ON:

County and City Projects

Contact the local public agency or municipality in which the project is located.

You may also contact:

- NDDOT, Local Government Division
Office701-328-2540

State Highway Projects

- Project Design Issues, NDDOT, Design Division
Office701-328-2555

State Highway Projects

- Right of Way and Relocation Assistance Issues
NDDOT, ETS Division
Office701-328-2590
Toll-Free:866-785-1596
Fax701-328-0310
TTY711 or 1-800-366-6888

Reasonable Accommodations

- NDDOT, Civil Rights Division
Office701-328-2978
Emailcivilrights@nd.com
TTY711 or 1-800-366-6888

The NDDOT will consider every request for reasonable accommodation to provide:

- An accessible meeting facility or other accommodation for people with disabilities.
- Language interpretation for people with limited English proficiency (LEP).
- Translations of written material necessary to access NDDOT programs and information

To request accommodations, contact

Civil Rights Division
North Dakota Department of Transportation
701-328-2978 or civilrights@nd.gov
TTY users may use Relay North Dakota at
711 or 1-800-366-6888.

Appendix C

Exhibits Presented

Stormwater and the Construction Industry

Protect Natural Features

- Minimize clearing.
- Minimize the amount of exposed soil.
- Identify and protect areas where existing vegetation, such as trees, will not be disturbed by construction activity.
- Protect streams, stream buffers, wet woodlands, wetlands, or other sensitive areas from any disturbance or construction activity by fencing or otherwise clearly marking these areas.

Construction Phasing

- Sequence construction activities so that the soil is not exposed for long periods of time.
- Install mulch or straw mulch to small areas.
- Install key sediment control practices before any grading begins.
- Stabilize site stabilization activities, such as revegetation, to be completed immediately after the land has been graded to its final contour.

Vegetative Buffers

- Protect and install vegetative buffers along waterbodies to slow and filter stormwater runoff.
- Maintain buffers by mowing or replanting periodically to ensure their effectiveness.

Silt Fencing

- Inspect and maintain silt fences after each rainstorm.
- Make sure the bottom of the silt fence is buried in the ground.
- Securely attach the material to the stakes.
- Don't place silt fences in the middle of a waterway or use them as a check dam.
- Make sure stormwater is not flowing around the silt fence.

Construction Entrances

- Remove mud and dirt from the tires of construction vehicles before they enter a paved roadway.
- Properly place entrance BMPs for all anticipated vehicles.
- Make sure that the construction entrance does not become buried in soil.

Slopes

- Rough grade or terrace slopes.
- Break up long slopes with sediment barriers, or under drain, or divert stormwater away from slopes.

Dirt Stockpiles

- Cover or seed all dirt stockpiles.

Site Stabilization

- Vegetate, mulch, or otherwise stabilize all exposed areas as soon as land alterations have been completed.

Storm Drain Inlet Protection

- Use rock or other appropriate material to cover the storm drain inlet to filter out trash and debris.
- Make sure the rock size is appropriate (usually 1 to 2 inches in diameter).
- If you use inlet filters, maintain them regularly.

Maintain your BMPs!

www.epa.gov/npdes/menuofbmps

Stormwater and the Construction Industry

Planning and Implementing Erosion and Sediment Control Practices

The construction industry is a critical participant in the nation's efforts to protect streams, rivers, lakes, wetlands, and oceans. Through the use of best management practices (BMPs), construction site operators can effectively reduce erosion and sedimentation.

As construction sites enter a construction site, it is the responsibility of the contractor, owner, and developer to ensure that the site is properly managed to prevent erosion and sedimentation. This includes implementing BMPs to control erosion and sedimentation, and ensuring that the site is properly managed to prevent erosion and sedimentation.

Best Management Practices (BMPs)

A BMP is a method or practice to prevent or reduce erosion and sedimentation, including sediment, silt, and other materials. BMPs include, but are not limited to, silt fences, sediment basins, and erosion control blankets.

Operator

The operator is the person who is responsible for the day-to-day management of the construction site. The operator is responsible for ensuring that the site is properly managed to prevent erosion and sedimentation, and for ensuring that the site is properly managed to prevent erosion and sedimentation.

There may be cases where the operator is not the same person as the owner. In these cases, the owner is responsible for ensuring that the site is properly managed to prevent erosion and sedimentation, and for ensuring that the site is properly managed to prevent erosion and sedimentation.

So what's being done about polluted runoff?

The Clean Water Act requires the National Pollution Discharge Elimination System (NPDES) permitting program. The NPDES program is a federal program that requires the construction industry to obtain a permit to discharge stormwater into navigable waters. The NPDES program is a federal program that requires the construction industry to obtain a permit to discharge stormwater into navigable waters.

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What does the permit require?

- Develop and implement a stormwater management plan.
- Implement a permit compliance plan or stormwater management plan.
- Comply with the permit, including implementing BMPs and keeping the site clean.

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- Comply with the permit, including implementing BMPs and keeping the site clean.

Developing and Implementing a Plan

You now have a Plan that includes erosion and sediment control practices (BMPs). These plans include:

- A stormwater management plan or stormwater management plan.
- A permit compliance plan or stormwater management plan.
- A permit compliance plan or stormwater management plan.

1. Site Evaluation and Design Development

- Collect site information.
- Develop site site design.
- Prepare pollution prevention site map.

2. Assessment

- Assess the site area.
- Calculate the runoff coefficient.

3. Control Selection and Plan Design

- Review and incorporate state or local requirements.
- Select erosion and sediment control practices.
- Select other controls.
- Select sedimentation control practices.
- Indicate the location of controls on the site map.
- Prepare an inspection and maintenance plan.
- Coordinate controls with construction activity.

4. Certification and Notification

- Notify the Plan.
- Notify the Plan.
- Notify the Plan.

5. Implementing and Maintaining a Plan

- Implement controls.
- Inspect and maintain controls.
- Update/revise the Plan.
- Report/notify of construction activities.

6. Completing the Project: Final Stabilization and Termination of the Permit

- Final stabilization.
- Notice of Termination.
- Final stabilization.

Other BMPs and Activities to Control Polluted Runoff

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Other BMPs and Activities to Control Polluted Runoff

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An ounce of prevention is worth a pound of cure! It's far more efficient and cost-effective to prevent pollution than it is to try to correct problems later. Installing and maintaining simple BMPs and pollution prevention techniques on sites can greatly reduce the potential for stormwater pollution and also save you money!



For more information visit - www.epa.gov/npdes/stormwater or www.dot.nd.gov/divisions/environmental/storm-water/storm-water-management.htm

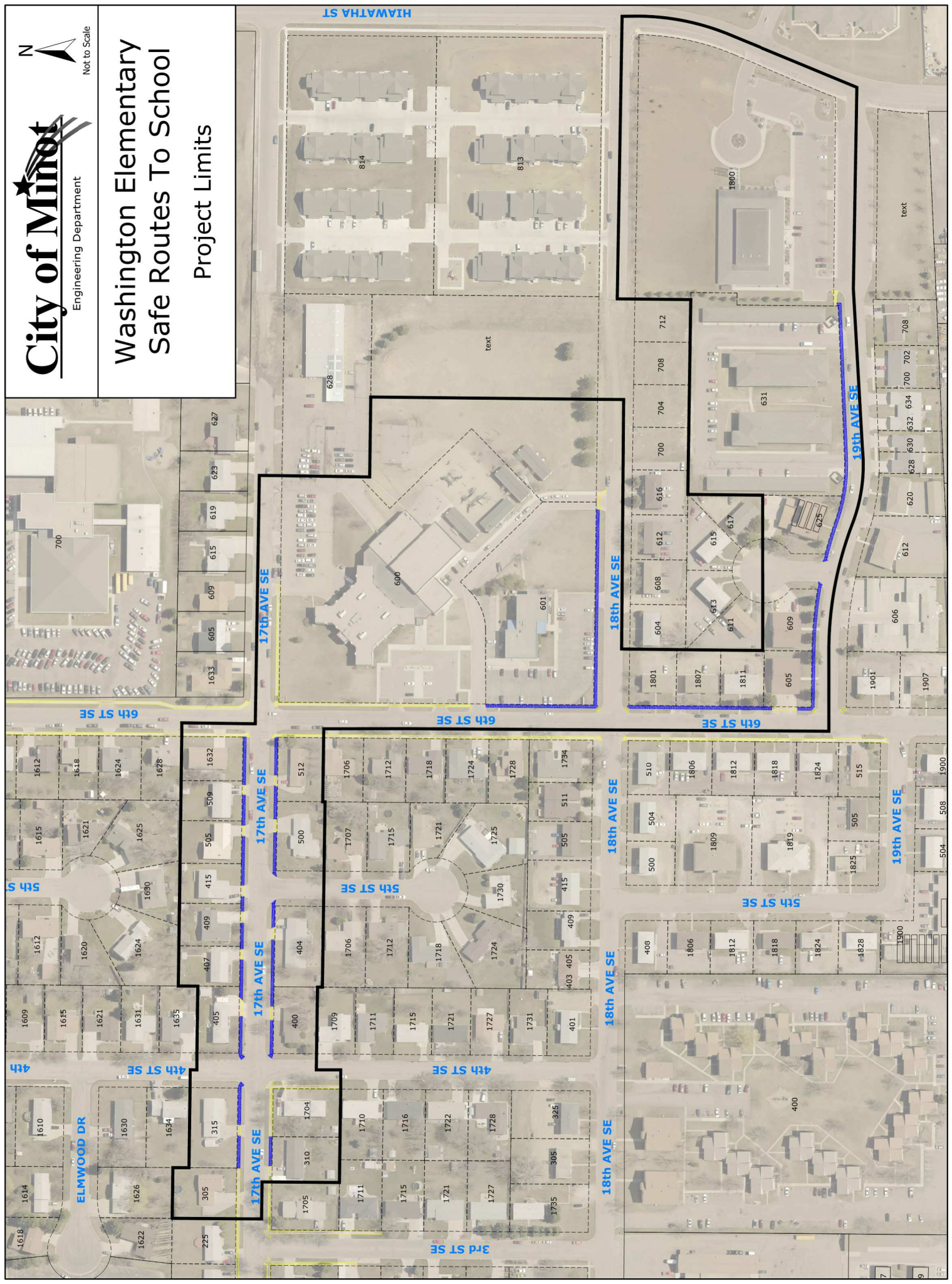


Engineering Department

Not to Scale

Washington Elementary Safe Routes To School

Project Limits





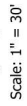
17th Ave SE



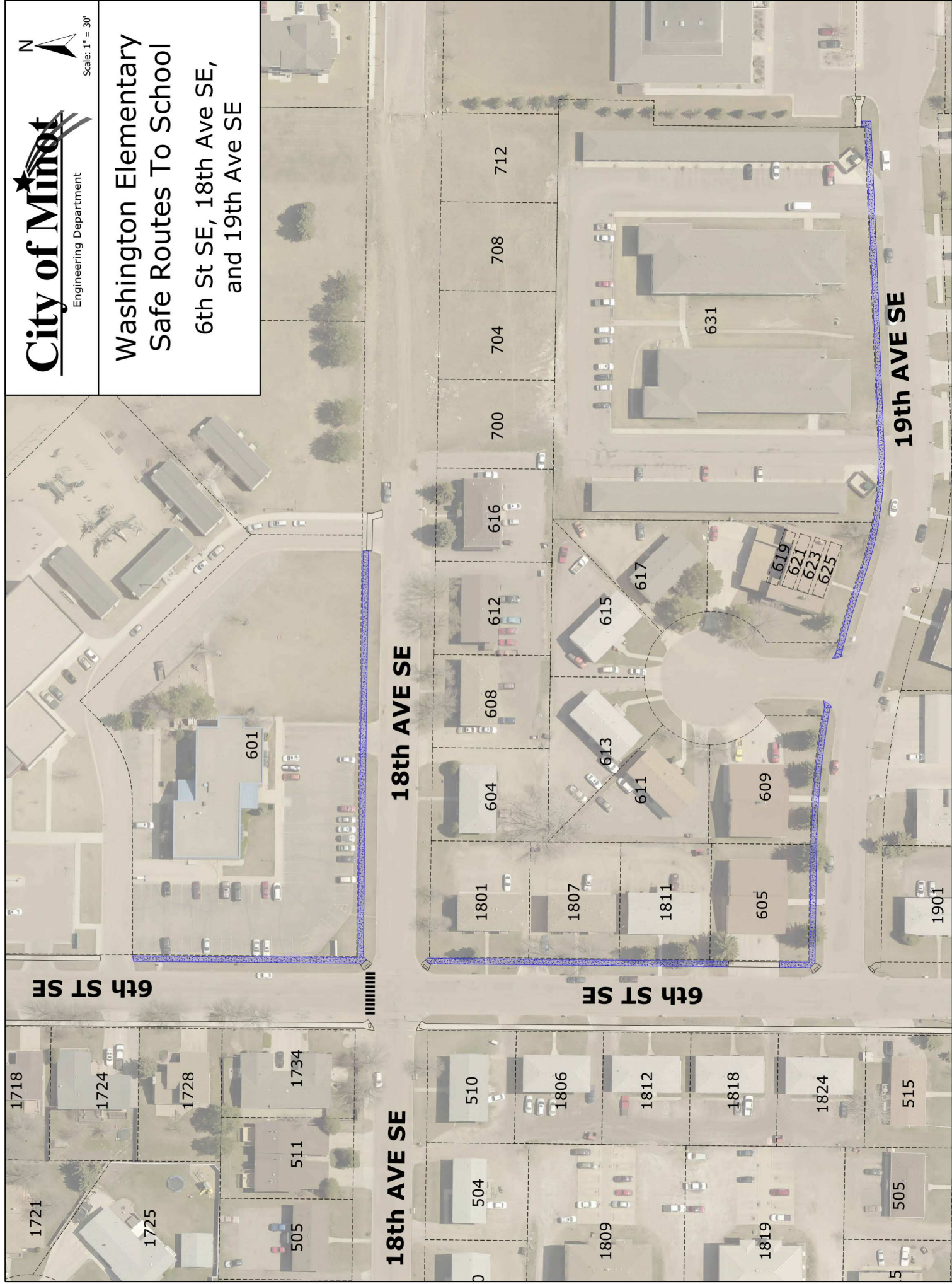
SECTION B-B

The diagram illustrates a cross-section of a street and front yard. Key features and dimensions include:

- Centerline of Right of Way:** The leftmost vertical line.
- Property Line:** The rightmost vertical line.
- Street:** The paved area on the left, with a width labeled "Varies".
- Boulevard:** A paved area adjacent to the street, with a width labeled "8.5'".
- Sidewalk:** A paved area adjacent to the boulevard, with a width labeled "5'".
- Front Yard:** The area between the sidewalk and the property line, with a width labeled "1'".
- Gravel Base:** A 4" thick layer of Class 5 gravel base, shown on both sides of the sidewalk.
- Concrete:** A 4" thick concrete layer, shown on both sides of the gravel base.
- Dimensions:** The gravel base and concrete layers are each 6" wide.
- Grade:** A 2.0% maximum grade is indicated for the sidewalk area.



6th St SE, 18th Ave SE,
and 19th Ave SE



Appendix D

Roster

SIGN-IN SHEET

North Dakota Department of Transportation, Civil Rights
SFN 59531 (5-2018)

Page 1 of 1

Meeting Location City Auditorium Room 301		Meeting Type Public Open House		Meeting Date 10/23/2018	
Project Number TAU-4-989(123)				PCN 22267	
Project Description Installation of sidewalks for safe routes to Washington Elementary School on 17th, 18th, and 19th Avenue and 6th St SE					

Name (Please print) Brian & Marissa Michalszko		Title/Representing			
Address 405 17th Ave SE		City Minot	State ND	ZIP Code 58701	
Email Address			Telephone Number 701-838-9274		

Name (Please print) Greg Simonson		Title/Representing			
Address 409 17th Ave SE		City Minot	State ND	ZIP Code 58701	
Email Address			Telephone Number 701-833-2352		

Name (Please print) Lisa Olson		Title/Representing City Council			
Address 3305-11th St SE		City Minot	State ND	ZIP Code 58701	
Email Address Lisa.Olson@minotnd.org			Telephone Number 701-720-1853		

Name (Please print) Jason Quammen		Title/Representing			
Address 500 17th Ave SE		City Minot	State ND	ZIP Code 58701	
Email Address			Telephone Number 340-1239		

Name (Please print) Matt Watne		Title/Representing Adventure Holdings, LLC			
Address 1113 Valley View Dr.		City Minot	State ND	ZIP Code 58703	
Email Address m.watne@minot.com			Telephone Number 701 720 5700		

Name (Please print) Wayne A. Johnson		Title/Representing			
Address 623 19th Ave. SE.		City Minot	State ND	ZIP Code 58701	
Email Address			Telephone Number		

Name (Please print) Dr. Steve Podyguch		Title/Representing City of Minot			
Address 895 J Ave SW		City Minot	State ND	ZIP Code 58701	
Email Address STEVE@M. PODYGUCH@MINOTND.ORG			Telephone Number 838-4473		

Appendix E

Comments Received

Kelby Laxdal

From: Lance Meyer <lance.meyer@minotnd.org>
Sent: Wednesday, October 24, 2018 9:17 AM
To: Donna Bye
Subject: RE: Washington elementary

[External Email]

Hi Donna, thanks for the comment.

For this project, a sidewalk along the south side of 16th Ave is not in the plans. We are working off of our comprehensive study that was completed back in 2010 to decide which sidewalk projects to complete. Once that list is exhausted, we will move onto other sidewalk segments that make connections into other parts of the neighborhood. Too bad about the neighbor, I hope he understands the boulevard is public right of way.

Regards,

Lance Meyer, P.E.
City of Minot, City Engineer
Office 701-857-4100
PO Box 5006, Minot, ND 58701
[City of Minot Website](#)
[Official Facebook Page](#)



From: Donna Bye [mailto:dbye@houstoneng.com]
Sent: Wednesday, October 24, 2018 6:39 AM
To: Lance Meyer <lance.meyer@minotnd.org>
Subject: Re: Washington elementary

Hey just wanted to share some input. Would like consideration of side walks on south side of 16th Ave from 4th to 6th because crossing the street to get to the path is very dangerous. Speeds along 16th and the amount of traffic in the morning with the rising sun is very challenging. I would consider allowing my child to walk to school but one homeowner does not allow him to walk on the lawn and that forces us into the street. Thank you.

Get Outlook for iOS<<https://aka.ms/o0ukef>>

On Fri, Oct 19, 2018 at 6:52 PM -0500, "Donna Bye"

<dbye@houstoneng.com<<mailto:dbye@houstoneng.com>>> wrote:

Could you please send me any info you have on the safe routes to school project near Washington elementary thanks.

Get Outlook for iOS<<https://aka.ms/o0ukef>>

October 23, 2018 COMMENT CARD
(Please return/mail by November 7, 2018)

PUBLIC INPUT MEETING: Washington Elementary Safe Routes to School

NAME (please print): Greg Simonson ADDRESS (please print): 409-17th Ave SE
Minot

(Comments may also be submitted by email to: klaxdal@houstoneng.com and place "Public Input Meeting" in the subject heading.

I wish to offer the following comments:

1. No Need to have a side walk on the North side of 17th Ave SE - just the South side I watch very few students walking to or from Washington School
2. Several houses on the North side of 17th Ave SE have water drainage problems after a fast snow melt and rain events. - I would hate to see a side walk that could restrict the flow of this water - A problem for the City and homeowners
3. One sidewalk on the South side of 17th Ave SE would save the City State and Federal funds that could be used for other City Repairs And Projects.

continued
Pg 2

Please leave your comment sheet with us tonight or
Mail your comments by November 7, 2018 to:

from cell # 701-833-
2352

S

Greg Simonson
409 17th Ave SE
Minot, ND 58701

Kelby Laxdal
Ina Mae Rude Center, Suite 405
4200 James Ray Drive
Grand Forks, ND 58202

4. We purchased this house
February 1977 knowing we would
not have a sidewalk, to pay
for and/or to maintain

5. In the 42 years living ^{here} I
have never seen or heard of a
walker being injured or slipping
in the street the street is extra
wide and cleared of snow on the street
is faster than the side walks west
of me